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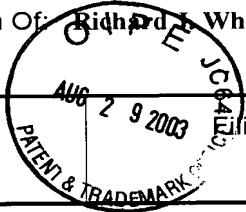
GP 16320

**COMBINED AMENDMENT & PETITION FOR EXTENSION OF
TIME UNDER 37 CFR 1.136(a) (Small Entity)**

Docket No.
UAB-16102/22

In Re Application Of: **Richard J. Whitley et al.**

Serial No.
10/009,972



Filing Date

Examiner
S. D. Priebe

Group Art Unit
1632

Invention: **HERPES SIMPLEX VIRUS EXPRESSING FOREIGN GENES AND METHOD FOR
TREATING CANCERS THEREWITH**

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TO THE COMMISSIONER FOR PATENTS:

This is a combined amendment and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of 4/3/2003 in the above-identified application.
Date

The requested extension is as follows (check time period desired):

☐ One month ☒ Two months ☐ Three months ☐ Four months ☐ Five months

from: 7/3/2003 until: 9/3/2003
Date *Date*

A verified statement of small entity status as a small entity under 37 CFR 1.27:

☐ is enclosed.
☒ has already been filed in this application.

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The fee for the amendment and extension of time has been calculated as shown below:

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	21 -	20 =	1	x \$9.00	\$9.00
INDEP. CLAIMS	3 -	3 =	0	x \$42.00	\$0.00
FEE FOR AMENDMENT					\$9.00
FEE FOR EXTENSION OF TIME					\$205.00
TOTAL FEE FOR AMENDMENT AND EXTENSION OF TIME					\$214.00

09/04/2003 HDEHESS1 00000039 10009972

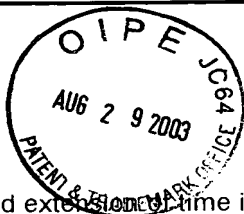
01 FC:2252

205.00 0P

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**COMBINED AMENDMENT & PETITION FOR EXTENSION OF
TIME UNDER 37 CFR 1.136(a) (Small Entity)**

Docket No.
UAB-16102/22

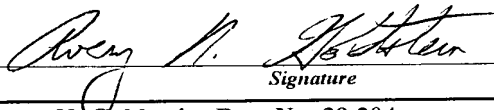


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The fee for the amendment and extension of time is to be paid as follows:

- ☒ A check in the amount of \$214.00 for the amendment and extension of time is enclosed.
- ☐ Please charge Deposit Account No. _____ in the amount of \$214.00
- ☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 07-1180
- ☒ Any additional filing fees required under 37 C.F.R. 1.16.
- ☒ Any patent application processing fees under 37 CFR 1.17.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 07-1180

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Signature

Dated: August 29, 2003

Avery N. Goldstein, Reg. No. 39,204
Gifford, Krass, Groh, Sprinkle,
Anderson & Citkowski, P.C.
280 N. Old Woodward Avenue, Suite 400
Birmingham, MI 48009-5394
(248) 647-6000

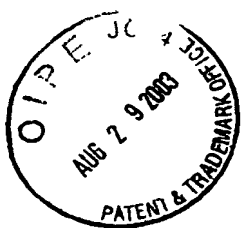
I certify that this document and fee is being deposited on Aug 29, 2003 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. **EXPRESS MAIL EV339616233US**


Signature of Person Mailing Correspondence

Janice R. Kuehn

Typed or Printed Name of Person Mailing Correspondence

CC:



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Attorney Docket No. UAB-16102/22

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Richard J. Whitley et al.

Serial No.: 10/009,972

Group Art Unit: 1632

Filing Date: February 14, 2002

Examiner: S. D. Priebe

For: HERPES SIMPLEX VIRUS EXPRESSING FOREIGN GENES AND
METHOD FOR TREATING CANCERS THEREWITH

AMENDMENT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

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Dear Sir:

Responsive to the Office Action mailed April 3, 2003, please amend the above-identified application as follows:

09/04/2003 HDEHESS1 00000039 10009972

02 FC:2202

9.00 OP